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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,282	09/22/2000	Leonid Alexeevich Polyakov	U 012959-5	1196
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Ladas & Parry		EXAMINER		
26 West 61st Street New York, NY 10023			GILL, ERIN M	
	•		ART UNIT	PAPER NUMBER
			2881	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner			Application No.	Applicant(s)	_			
Examiner		7						
Ein-Michael Gill 2881 28	₹	Office Action Summary						
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Extension of their may be available under the providence of 3 CPR 1.136(a). In no event, however, may a reply be limely filled. The period for reply specified shore is less than brilly (30) days, at period for reply specified shore is less than brilly (30) days, at period for reply specified shore is less than brilly (30) days, at period for reply specified shore is less than brilly (30) days, at period for reply specified shore is less than brilly (30) days, at period for reply specified shore is less than brilly (30) days, at period for reply specified shore is less than brilly (30) days. If the period for reply specified shore is less than brilly (30) days, at period and the period of the communication, and the period of this communication. If the period for reply specified shore is less than brill (30) days at period of this communication. A priod the period of the period of the communication of the period of this communication. A period for reply specified shore is less than the replacement of the period of this communication. A period for reply specified to the shore of the period of the communication. Brill Status	١,	,						
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1) Responsive to communication(s) filed on <i>Q7 February 2003</i> . 2a This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)	THE I - Exter after - If the - If NO - Failu - Any r earne	MAILING DATE OF THIS COMMUNICATION. Isions of time may be available under the provisions of 37 CFR 1.11 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period ver to reply within the set or extended period for reply will, by statute eply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be tin y within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
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DETAILED ACTION

Response to Amendment

1. The Office acknowledges the substitute specification and amended claims. The previous rejection under 35 U.S.C. 112 is hereby withdrawn and the substitute specification is accepted.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasao et al. US Patent No. 5110562 (hereafter Sasao) in view of Trajmar, Sandor US Patent No. 4,704,197 (hereafter Trajmar). Regarding claims 1-6, Sasao, col. 6 lines 45-49, teaches the creation of a Palladium vapor from a Palladium crucible. However, Sasao fails to teach the ions being formed into a beam using electrodes of an ion optical system according to isotopes with a magnetic field. Trajmar, col 3 lines 15-22 and figs 5-6, overcomes this limitation by teaching the separation and collimation of isotopes using a magnetic field. The collection means of a receiving box is inherent to the apparatus. Official Notice taken. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the apparatus of Trajmar with the invention of Sasao since such a combination would lead to a better collimation and separation of Palladium isotopes.
- 4. Regarding the limitation that the crucible is heated to a range of 1580-1700° C, it would have been obvious to one of ordinary skill in the art at the time the invention was made to heat

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the Palladium to those temperatures since it has been held that where the general conditions of the claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In Re Aller*, 105 USPQ 233.

5. Regarding claim 7, it is inherent to the process of Sasao that reaction products are not formed in the process, and as such, they are assumed not to be present.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin-Michael Gill whose telephone number is 703-305-7858. The examiner can normally be reached on M-F (8:30-5:00 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on 703-308-4116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

EMG

April 21, 2003

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800